

City of Alexandria, Virginia

MEMORANDUM

DATE: MAY 28, 2021

TO: MICHAEL L. BROWN
CHIEF OF POLICE

Mr. Givens

FROM: CAPTAIN CHRIS WEMPLE III, COMMANDER
OFFICE OF EXTERNAL AFFAIRS & PROFESSIONAL RESPONSIBILITY

[Signature]

SUBJECT: ANNUAL USE OF FORCE ANALYSIS – CY2020

The purpose of this memorandum is to provide the CY2020 Annual Analysis of Departmental Uses of Force. This analysis is required by Police Directive 1.9 Administrative Reports, Appendix A. This analysis was conducted by reviewing all Use of Force (UF) investigations in CY2020.

Definitions:

Incident – a dispatched call for service or other encounter between police and the community.

Force Incident – an encounter between police and subject(s) where force was applied.

Use of Force/Application – the application of a specific force method on a subject by a police officer.

Use of Force Investigation – the investigation into the appropriateness of the application(s) of force by one or more officers against one or more persons in a single incident.

Evaluation Triggers:

Force, especially item/weapon use, is evaluated in all applications, as well as upon complaint of injury (regardless of whether or type of force employed), actual injury (regardless of type of force applied), or complaint of excessive/improper use of force.

In September of CY2016, tracking of force investigations changed to include all levels of force used. This reporting captures officers' attempts to use lower levels of force before escalating. For instance, if two officers utilize different types of force to affect a lawful objective, the incident will be categorized as one incident involving two applications of force, capturing the type of force used by officer, rather than just as one single incident. The reason for this method is to review each individual use of force on its own. During an incident, one officer's application of force may be appropriate while another officer's may be inappropriate.

Note: Typically, two officers are dispatched to most calls for service, so it is not uncommon for each use of force investigation to involve multiple officers, however they are tracked and numbered internally by individual officer. Additionally, on calls where violence is expected or

occurs, additional officers will respond to assist. It is possible that a single incident can result in multiple force evaluations arising out of the results of the comprehensive investigation.

Table 1 below lists the types of force applied by officers in CY2020 compared to the preceding three years. Note that more than one type of force can occur in a given incident. In the table below, that represents a subset of the provided numbers.

Table 1 – Use of Force Incidents and Officers

Level of Force Deployed, by Incident	CY2017	CY2018	CY2019	CY2020
Firearm	3	1	1	1
Impact Weapon (Baton, Sage Gun, LLM)	3	0	0	0
Canine Bite	0	0	3	2
OC Spray	3	2	3	2
CEW (Taser)	8	7	11	8
Weaponless Force/Injury/Complaint	23	14	15	17
Incidents with Multiple Force Types	8	4	5	2
Incidents Where Force Occurred	31	20	28	28
Total Officers Using Force	51	32	41	56
Force Incidents with Multiple Officers	15	6	8	15

CY2020 saw the same number of force incidents as CY2019, but the number of involved officers rose from 41 (CY2019) to 56 (CY2020), as did the number of multi-officer force incidents, from eight (8) in CY2019 to 15 in CY2020. Anecdotally, in researching this report, it was discovered that in the majority of multi-officer force incidents, the overall level of force employed was low, usually just physical control holds. This can be attributed to the fact that when acting in concert, many officers can overcome the resistance of a single subject through lesser force per officer.

In CY2020, five officers used some type of reportable force more than once. There were six (6) incidents involving two officers, five (5) involving three, and four (4) involving four officers. The uses of force involved members of the Patrol division, Canine Unit, Criminal Apprehension Unit (CAU), Motors Unit, COPS Unit, and Sergeants.

Compared to CY2019, CY2020 saw a small increase in the number of weaponless force incidents (strikes, control holds, and takedowns resulting in a complaint of injury, or just a complaint of injury regardless of whether force was used). Among these force incidents, officers used weaponless tactics and control holds 17 times. The increase in weaponless force utilization is attributed to the fact that in most encounters, the officer(s) first attempt weaponless techniques before resorting to higher levels of force.

In CY2020, there were no of uses of any impact weapons. In CY2020, there were eight (8) incidents involving Conducted Electrical Weapons (CEW), a decrease of three from CY2019. In CY2020, the Department had 200 CEWs in operation. The Patrol Operations Divisions, from the rank of Sergeant and below, are all issued CEWs. OC Spray deployments dropped in CY2020 to two deployments from three in CY2019. There were two K9 deployments in CY2020, a decrease of one from CY2019.

There was one incident in which lethal force was applied in CY2020. The case involved three officers who returned fire at an armed subject (w/handgun) who fired at and injured one officer prior to the officer returning fire. The subject fled and was located by additional officers who fired on the subject when he fired yet another shot close to them. The criminal investigation, conducted by Virginia State Police, just recently concluded and the officers were cleared by Commonwealth's Attorney Bryan Porter. The administrative investigation is being completed.

There was one case arising out of an allegation of excessive force (external complaint) in CY2020 involving one officer. The administrative investigation revealed that the officer's application of force was inappropriate and the finding was "Not Within Policy," resulting in the dismissal of the officer involved.

Demographic Statistics

Below is a statistical breakdown of the race and gender of our sworn staff in CY2020 and the force incidents:

Table 2 – All Department Sworn Staff Demographics

RACE/GENDER	Count	% Sworn	Using Force*	% Using Force
White Male/Non-Hispanic	171	53.4%	32	57.1%
White Female/Non-Hispanic	46	14.4%	7	12.5%
Black Male/Non-Hispanic	39	12.2%	9	16.1%
Black Female/Non-Hispanic	10	3.1%	1	1.8%
Asian Male/Non-Hispanic	14	4.4%	2	3.6%
Asian Female/Non-Hispanic	2	0.6%	1	1.8%
White Male/Hispanic	29	9.1%	3	5.4%
White Female/Hispanic	8	2.5%	0	0%
American Indian	1	0.3%	0	1.8%
Total	320	100%	56*	100%

*if an officer used force more than once, they are represented per use of force.

Below is a statistical breakdown of the race and gender of those against whom force was used in CY2020:

Table 3 – Race & Gender of Subjects Involved

RACE/GENDER	Count	% Use of Force Against
Black Male/Non-Hispanic	12	42.9%
White Male/Non-Hispanic	10	35.7%
White Male/Hispanic	3	10.7%
Black Female/Non-Hispanic	2	7.1%
White Female/Non-Hispanic	1	3.6%
Total	28	100%

Nature of Incidents

All but two of the 28 incidents resulted in criminal arrests or Temporary Detention Orders (TDO). Of the 3691 criminal arrests made in Alexandria during CY2020, only 26 involved the application of a reportable level of force. **This means that in CY2020, force was deployed only 0.7% of the time in custodial situations.** In each situation where force was properly used, the need for custody or capture of a subject was legally justified. The following table provides the types of encounters that officers were engaged in which led to their application of force:

Table 4 – Types of Encounters

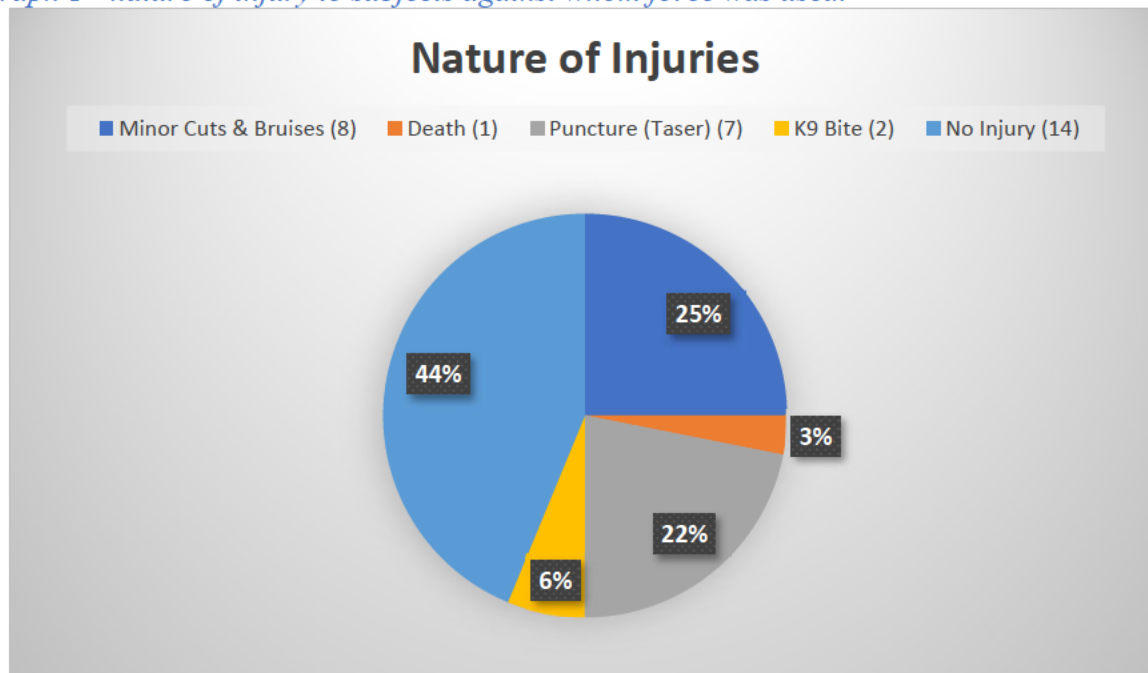
Type of Encounter	Force Applications	Incidents	% with Force
Mental T.D.O.	6	414	1.4%
Open Warrants	4	317	1.3%
Investigating Other CFS Types	16	53698	0.03%
Narcotics Investigations	2	351	0.5%
Total	28	53698*	0.05%

*Source: PRISM, CFS is without non-contact CFS types and is estimated.

Injuries

Of the 28 incidents resulting in the application of reportable force, one incident resulted in the death of the suspect (the lethal force incident). As depicted on the graph below, 44% of these encounters resulted in no visible injury to the subject against whom force was used. The use of Conducted Electrical Weapons (CEW) results in small punctures at the site where the probes contact the subjects.

Graph 1 - nature of injury to subjects against whom force was used.



Of the officers involved in the 28 incidents, 11 officers sustained injuries: seven sustained minor cuts and bruises, one sustained a sprain, one suffered a dislocated shoulder, one sustained swelling, and one sustained a non-fatal gunshot wound.

Conclusion

A review of the information available for CY2020 does not reveal any specific needs or trends in our use of force situations.

All investigations have not yet been completed for CY2020 at the time of this memorandum. None of the cases involved personnel other than sworn officers.

This report is produced through a detailed hand-counting and calculations of data within our IAPro/BlueTeam software. The latest version has more effective built-in analytics and the ability to build queries. We should explore purchasing the updated version to enhance our ability to track our force use and complaints.

Should you have any questions regarding the content of this memorandum, please contact me at 703-746-6767.